

1895-071
Lee Co

Chancery Causes: Rebecca J. Roop vs. Samuel Roop

Epperson, Belcher, M. Lehan

CA-Divorce
T-Vices

Virginia,

In the Circuit court of Lee county:

To the Hon. W.T. Miller, Judge of the said court,
Humbly complaining your oratrix, Rebecca J. Roop, would respectfully represent and show unto your Honor that heretofore, to wit: on the day of Aug., 1888, she was united in marriage, in Lee county, Virginia, to Samuel Roop, with whom she lived for about six years, when her said husband deserted her and left her to provide for her-self. Your oratrix will further show to your Honor that she was a loving, faithful ~~wife~~, and dutiful wife, always true and obedient to her said husband; that she used every means at her command to make their home happy, pleasant and prosperous, but her efforts in this direction were met with scorn, and ill treatment. And her said husband, as before stated, deserted her and has ever since been untrue to his marital vows, and guilty of often repeated acts of adultery, which adultery was committed by her said husband without ^{the} consent, connivance or procurement of your oratrix, and that he is now living in the most open adultery, certainly in the most shameful prostitution with one, Rachel M. Epperson. Your oratrix will further show unto your Honor that she has not co-habited or in any way had any thing to do with her said husband since ^{these} acts of adultery on the part of her husband come to her knowledge. Your oratrix will further show unto your Honor that she is a resident of Lee county, Virginia, and has resided in said county for more than twelve months next preceding the bringing of this suit; and your oratrix alleges that the adultery here complained of occurred less than five years next before the institution of this suit.

Now the object of this bill is to obtain a decree dissolving the bonds of matrimony heretofore contracted and now existing between your oratrix and her husband, the said Samuel Roop, and being without remedy at common law, she prays your Honors court of equity to take cognizance of her

cause and render her the proper relief. To this end she prays that the said Samuel Roop be made a party defendant to this bill, and that he be required to answer its several allegations, but not on oath, that being waived, and that upon a final hearing a decree be pronounced by your Honor dissolving the bonds of matrimony now existing between your oratrix and her said husband, and if any wise mistaken in this her special prayer she prays for other, further and general relief.

May the Commonwealth's writ of spa. issue, &c.

Orr, Blanchard & Ewing, P.Q.

CLERK RECEIPT.

No. **63**

SUITS.

Plaintiff *Rebecca J. Roof*

Defendant *Samuel Roof*

Date *October the 30th 1894*

Amount of tax, - - - - \$ *1.50*

~~Common law~~

Chancery *Bill Choy*

Received (date) *October 30th 1894*

A. B. Munsey

Clerk.

Rebecca J. Roop

vs. } Bill.

Samuel Roop.

Or. Clerkship Ewing.
P. 2.

1895-2nd January rules bill filed
and Contd for order Pub.

" 1st Feb'y rules Contd

" 2nd " " order Pub
Completed & cause set for
hearing by Plff.

1895 to 1900

March Term 1895 Term
final See Chy order
Book Page 146

Plffs Costs

C. \$7.94

Printer 5.00

atty 15.00

Co C. 25

~~\$28.19~~

Defts costs

C. 1.35

~~7.94~~

C. \$9.29

28.19

1.35

79

~~29.54~~

2/29.54

14.77

Rebecca J. Proop
vs. } In Chancery.
Samuel Proop.

This cause having been set for hearing came on this day to be heard upon the bill of complaint and the depositions of witnesses and was argued by counsel. And it appearing to the Court that the allegations of said bill had been fully proven, it is adjudged, ordered and decreed that the bonds of matrimony heretofore existing between the said Rebecca J. Proop and Samuel Proop be, and the same are hereby dissolved as to each of them and that the plaintiff recover of the Defendant her costs in this behalf expended. And this cause is stricken from the docket.

Rebecca J. Roof

vs. { Deere.

Samuel Roof.

O.B.

Page 146

Enter this Issue

W. J. M.

March 7, 1895.

Rebecca J. Roop }
vs. Samuel Roop } In Chancery.

The deposition of M. C. Belcher taken before me H. C. Joslyn a Justice of the Peace for Lee County Virginia, at the office of Orr, Blankenship & Ewing in the town of Jonesville Lee Co Va on the 6th day of March 1895. To be read as evidence in behalf of the Plaintiff in a certain suit in Chancery pending in the Circuit Court of Lee County—wherein Rebecca J. Roop is plaintiff and Samuel Roop is defendant. Present C. W. Blankenship Atty for the Plaintiff.

M. C. Belcher a witness of lawful age being duly sworn deposes as follows.

Ques 1 please state your age, occupation & place of residence?

Ans. I am 29 years of age, a Farmer by occupation. I live at Blackwater Lee Co Va.

Ques 2 State whether or not you are acquainted with Samuel Roop the deft. in this case, & also if you ^{know} Rachel M. Epperson or

Margaret Epperson as she is some-
times called?

Ans. I know Samuel Roof. have known
him about 8 months. I also know
Rachel M. Epperson. I know her
by the name of Margaret Epperson
I have known her about 5 or 6
months.

Ques. 3. Please state if you know
whether or not they, the said
Samuel Roof & Margaret Epper-
son, are living together & any-
thing you may know about
them living together?

Answer. I know they both stay at the same
house. There is no other woman
living at the house with them.
I have seen her cooking at the
house where they live. and have
seen him eating there. I have
heard Samuel Roof say she
was living with him.

And further this deponent with nat.

witness claims

M. C. ^{his} Belcher
mark

1 day 50. Cents.

Virginia Lee County To-wit:
I, Henry C. Foslyn a Justice of
the Peace for the said County

do hereby Certify. That the foregoing
deposition of M. C. Belcher. was
duly taken. Sworn to and Subscribed
before me. at the time and
place mentioned in the Caption
of the same.

Given under my hand This 6th
day of March 1895.

M. C. Gosslyn J. P.

Rebecca J. Roof
v.s. 3^d ch
Samuel Roof

The deposition
of M. C. Belcher

Received from H. C.
Joslyn the Justice by
for whom taken and
filed March the 6th 1885
A. B. Munsey Clerk

J. P. Fee .75-

Rebecca J. Roof }
vs. } In Chancery.
Samuel Roof }

The deposition of Rebecca J. Roof ~~and others~~
and others taken before me H. C.
Joslyn a Justice of the Peace
for Lee County Virginia, at the
office of Orr. Blankenship & Dwing
in the town of Jonesville Lee
County Va. ^{on the 23rd day of Febr 1895} To be read as evidence
in behalf of the plaintiff. in a
certain suit in Chancery. pending
in the Circuit Court of Lee County.
wherein Rebecca J. Roof is plaintiff
and Samuel Roof is defendant.
Present Rebecca J. Roof Plaintiff
and C. W. Blankenship her atty.
Rebecca J. Roof a witness of lawful
age being duly sworn deposes as
follows.

Ques. 1. Please state your age, occupation
& place of residence?

Ans. I am 21 years of age. I am a
housekeeper, and reside near
Corinth P. O. Lee Co Va.

Ques. 2. Please state whether or not
you are the wife of Samuel
Roof, & if so when you
were married, how long

you lived together, when he
left you & why?

Ans.

I am the wife of Samuel Roof.
I was married to him in August
1888. and lived with him nearly
six years. he left me in March
1894. He brought a woman by
the name of Rachel M. Epperson
to our house, and I objected to
her staying there, and made her
leave, and because I done so
he left me. he took the said
Epperson ^{woman} with him and went to
Kentucky. She was reputed to be
a woman of lewd character.
I learn that he is now living with
this Epperson woman in the state
of Tenn. I have been at the
house where they live, in the
state of Tenn. and seen them
living together, I have heard
them both say they ^{were} living to-
gether as man and wife. I
have not cohabited with him
or had anything to do with
him since I found out how
he was doing. or since he left me.

I am a resident of Lee County Virginia, and have been ~~since~~ for more than twelve months before this suit was brought. The said abandonment of me. by my said husband, and his said adulterous conduct was without cause on my part and without my consent, connivance or procurement.

And further this deponent soith nat.

Rebecca Jane Roop

F. A. Milham another witness of lawful age being duly sworn deposes as follows.

Ques. 1. Please state your age occupation & place of residence?

I am 17 years of age. a farmer and live near Bridemore P. O. Lee County Va.

Ques. 2, please state whether or not you are acquainted with the plaintiff Rebecca J. Roop & the defendant Samuel Roop, & if so how long you have known them?

Answer. I am acquainted with both Rebecca J. Roop & Samuel Roop. I have

Known Rebecca J. Roop about two years. and Samuel Roop all my life

Ques. 3. Please state if you know where the said Samuel Roop is now living, how & with whom he is living, & all you may know about him?

Answer. He is living in the State of Tenn with Rachel M. Epperson. I have been to their house. They were living together and he tried to make me believe they were married. I saw them both in the house together, I saw him start to the Spring for water. She told him to go for water. Saw them together once before in this County, in a little house near Asa Roops. They left there together and the next time I saw them was in Tenn as stated above. I heard him say they were living together, and that she took row about with him in the Cornfield. It was the general understanding

among the people where he now
lives. that they were man and
wife. and seemed very much surprised
when they found out that the
Epperson woman was not his
wife. I heard some of his
neighbours in Tenn say that they
thought the Epperson woman
was his wife. and did not
know any better until I told
them she was not his wife.
I know Mrs Roop the plaintiff in
this case had lived in Lee County
Va for more than twelve months
before she commenced this suit.
And further this deponent soith not.

F. A. Millern

Virginia Lee County To-wit:

I Henry C. Goolyn, a Justice of the
Peace for the said County, do hereby
Certify that the foregoing depositions of
Rebecca J. Roop and F. A. Millern, were
duly taken, sworn to and subscribed to
before me, at the time and place
mentioned in the Caption of the same.
Given under my hand, this 23rd day
of Feby 1895.

H. C. Goolyn J. P.

Rebecca J. Roof
v.s. } In Chg
Samuel Roof

The depositions
of Rebecca J. Roof &
F. A. Milham

Filed Feb'y the 23^d 1895
A. B. Muncy Clerk

J. P. Fee 75

In the Clerk's Office of the Circuit Court of the County of
Lee on the 9th day of January 1895

Rebecca J Roof Plaintiff
against

In Chancery

Samuel Roof Defendant.

The object of this suit is to obtain a decree for a divorce a
Vinculo Matrimonii dissolving the bonds of Matrimony
now existing between the plaintiff and the defendant
And an affidavit having been made and filed that the defendant Samuel Roof is

not resident of the State of Virginia, it is ordered that he do appear here, within fifteen
after due publication hereof, and do what may be necessary to protect his ~~their~~ interest in this suit. And it is
farther ordered that a copy hereof be published once a week for four weeks in the Southwest
Virginian, and that a copy be posted at the front door of the court-house of this County
on the first day of the next term of the County Court.

A copy—Teste:

Orre. B Ewing

p. q.

A. B. Munsey Clerk.

Rebecca J. Roof

VS.

ORDER
OF
PUBLICATION.

Samuel Roof

I Certify that I delivered a copy of the within order of Publication to the Editor of The Southwest Virginian on the 9th day of June 1895 for publication and that I posted a copy of the same at the front door of the Court House as the law directs. Given under my hand this the day of July 1895-

A. B. Munsey
Clerk

In the Clerk's Office of the Circuit Court of the County of
Lee

against Rebecca J Roop

Plaintiff

In Chancery

Samuel Roop

Defendant

This day 6. C. Flanary personally appeared
before me A. B. Munroe Clerk of the said Court,
and being duly sworn, made oath that Samuel Roop

defendant in the said suit is not a resident of the State of Virginia,

Given under my hand has Clerk of the said Court, this 9th day of January

1893

A. B. Munroe Clerk

Rebecca Roop

vs.

}

AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Samuel Roop

O. B. & Ewing p. q.